

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

GRETCHEN S. STUART, M.D.; JAMES R. )  
DINGFELDER, M.D.; DAVID A. GRIMES, )  
M.D.; AMY BRYANT, M.D.; SERINA FLOYD, )  
M.D.; DECKER & WATSON, INC., d/b/a )  
PIEDMONT CAROLINA MEDICAL CLINIC; )  
PLANNED PARENTHOOD OF CENTRAL )  
NORTH CAROLINA; A WOMAN'S CHOICE )  
OF RALEIGH, INC.; PLANNED )  
PARENTHOOD HEALTH SYSTEMS, INC.; )  
TAKEY CRIST, M.D.; and TAKEY CRIST, )  
M.D., P.A., d/b/a CRIST CLINIC FOR )  
WOMEN, on behalf of themselves and their )  
patients seeking abortions, )

Plaintiffs,

v.

JANICE E. HUFF, M.D., in her official capacity )  
as President of the North Carolina Medical )  
Board; ROY COOPER, in his official capacity as )  
Attorney General of North Carolina; LANIER M. )  
CANSLER, in his official capacity as Secretary )  
of the North Carolina Department of Health and )  
Human Services; JIM WOODALL, in his official )  
capacity as District Attorney ("DA") for )  
Prosecutorial District ("PD") 15B; TRACEY E. )  
CLINE, in her official capacity as DA for PD 14; )  
DOUG HENDERSON, in his official capacity as )  
DA for PD 18; BILLY WEST, in his official )  
capacity as DA for PD 12; C. COLON )  
WILLOUGHBY, JR., in his official capacity as )  
DA for PD 10; BENJAMIN R. DAVID, in his )  
official capacity as DA for PD 5; JIM O'NEILL, )  
in his official capacity as DA for PD 21; ERNIE )  
LEE, in his official capacity as DA for PD 4; and )  
their employees, agents, and successors, )

Defendants.

CIVIL ACTION

Case No. 1:11-CV-00804-CCE

**AFFIDAVIT FOR SERVICE OF PROCESS BY PROCESS SERVER**

I, Emily-Mary Brown, being sworn, depose and say:

1. I submit this affidavit in accordance with Rule 4 of the North Carolina Rules of Civil Procedure to establish service in this action.
2. Copies of the Complaint and Summons were personally served upon Defendants Roy Cooper Janice E. Huff, M.D., and Lanier M. Cansler on October 3, 2011 by Todd Bowling, Process Server.
3. Copies of the executed summonses are attached.

*Emily-Mary Brown*

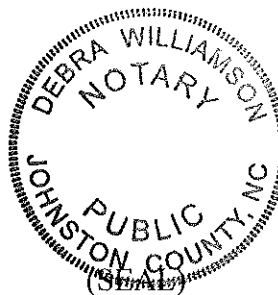
Emily-Mary Brown  
NC Certified Paralegal

Sworn to and subscribed to before  
me this 12 day of October, 2011.

*Debra Williamson*  
Notary Public (Signature)

*Debra Williamson*  
Notary Public (Print)

My Commission Expires: 9-30-2014



UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

GRETCHEN S. STUART, M.D., et al

*Plaintiff*

v.

JANICE E. HUFF, M.D., et al

*Defendant*

Civil Action No. 1:11-cv-00804

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Roy Cooper, in his official capacity as  
Attorney General of North Carolina  
c/o Grayson G. Kelley, Process Agent  
P.O. Box 629  
Raleigh, NC 27602

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Katherine Lewis Parker  
P.O. Box 28004  
Raleigh, NC 27611

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



John S. Brubaker  
Clerk

/s/ Jamic Sheets  
Deputy Clerk

October 3, 2011  
Date

Civil Action No. 1:11-cv-00804

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Roy Cooper, Attorney General NC  
was received by me on (date) 10/3/11

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Melissa Lovell, who is  
designated by law to accept service of process on behalf of (name of organization) Roy Cooper  
on (date) 10/3/11; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 10/3/11

Todd Bowling  
Server's signature

Todd Bowling Process Server  
Printed name and title

Po Box 1144, Raleigh, NC 27602  
Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

GRETCHEN S. STUART, M.D., et al

Plaintiff

v.

JANICE E. HUFF, M.D., et al

Defendant

Civil Action No. 1:11-cv-00804

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Janice E. Huff, M.D., in her official capacity as President of the  
North Carolina Medical Board  
c/o R. David Henderson, Process Agent  
123 Front Street  
Raleigh, NC 27609

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Katherine Lewis Parker  
P.O. Box 28004  
Raleigh, NC 27611

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



John S. Brubaker  
Clerk

/s/ Jamie Sheets  
Deputy Clerk

October 3, 2011  
Date

Civil Action No. 1:11-cv-00804

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Janice Huff, President NC Medical Board  
was received by me on (date) 10/3/11.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Danna Stucker, who is  
designated by law to accept service of process on behalf of (name of organization) NC Medical Board  
on (date) 10/3/11; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/3/11

Todd Bowling  
Server's signature

Todd Bowling Process Server  
Printed name and title

Po Box 1144, Raleigh, NC 27602  
Server's address

Additional information regarding attempted service, etc:

# UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

GRETCHEN S. STUART, M.D., et al

*Plaintiff*

v.

JANICE E. HUFF, M.D., et al

*Defendant*

Civil Action No. 1:11-cv-00804

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Lanier M. Cansler, in his official capacity as Secretary of the  
North Carolina Department of Health and Human Services  
c/o Emery E. Milliken  
Department of Health and Human Services  
Adams Building, Room 136  
Raleigh, NC 27699

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Katherine Lewis Parker  
P.O. Box 28004  
Raleigh, NC 27611

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



John S. Brubaker  
Clerk

/s/ Jamie Sheets  
Deputy Clerk

October 3, 2011  
Date

Civil Action No. 1:11-cv-00804

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) Barbara Conner, Secretary NC DHHHS  
 was received by me on (date) 10/3/11.

☐ I personally served the summons on the individual at (place) \_\_\_\_\_  
 on (date) \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) Rose Thompson, who is  
 designated by law to accept service of process on behalf of (name of organization)  
NC DHHHS on (date) 10/3/11; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date:

10/3/11

Todd Bowling  
 Server's signature

Todd Bowling Process Server  
 Printed name and title

PO BOX 1144, Raleigh, NC 27602  
 Server's address

Additional information regarding attempted service, etc:

### **CERTIFICATE OF SERVICE**

I hereby certify that on October 12, 2011, I electronically filed the foregoing Affidavit for Service of Process by Process Server with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel:

Bebe J. Anderson\*  
Senior Counsel  
Center for Reproductive Rights  
120 Wall Street, 14th Floor  
New York, NY 10005  
(917) 637-3687  
(917) 637-3666 Fax  
[banderson@reprorights.org](mailto:banderson@reprorights.org)

COUNSEL FOR PLAINTIFFS GRETCHEN S. STUART, M.D., DAVID A. GRIMES, M.D., AMY BRYANT, M.D., DECKER & WATSON d/b/a PIEDMONT CAROLINA MEDICAL CLINIC, & A WOMAN'S CHOICE OF RALEIGH, INC.

Andrew D. Beck\*  
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American Civil Liberties Union  
Foundation  
125 Broad Street  
New York, NY 10004  
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(212) 549-2651 Fax  
[abeck@aclu.org](mailto:abeck@aclu.org)

COUNSEL FOR PLAINTIFFS JAMES R. DINGFELDER, M.D., SERINA FLOYD, M.D., TAKEY CRIST, M.D., & TAKEY CRIST MD PA, d/b/a CRIST CLINIC FOR WOMEN

Helene T. Krasnoff\*  
Planned Parenthood Fed. of America  
1110 Vermont Avenue NW, Suite 300  
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(202) 973-4800  
[helene.krasnoff@ppfa.org](mailto:helene.krasnoff@ppfa.org)

COUNSEL FOR PLAINTIFFS PLANNED PARENTHOOD OF CENTRAL NORTH CAROLINA & PLANNED PARENTHOOD HEALTH SYSTEMS, INC.

I have also served the foregoing via email to the following recipients:

Tom Ziko

[Tziko@ncdoj.gov](mailto:Tziko@ncdoj.gov)

Senior Deputy Attorney General, Special Litigation Division

Faison Hicks

[Fhicks@ncdoj.gov](mailto:Fhicks@ncdoj.gov)

Special Deputy Attorney General

Stephanie Brennan

[Sbrennan@ncdoj.gov](mailto:Sbrennan@ncdoj.gov)

Assistant Attorney General

North Carolina Department of Justice

Legal Services Division

9001 Mail Service Center

Raleigh, NC 27699-9001

Telephone: (919) 716-6400

COUNSEL FOR ALL DEFENDANTS, EXCEPT JANICE E. HUFF, M.D.

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North Carolina Medical Board

1203 Front Street

Raleigh, NC 27609

(919) 326-1100

COUNSEL FOR DEFENDANT JANICE E. HUFF, M.D.

This the 12<sup>th</sup> day of October, 2011,

/s/ Katherine Lewis Parker

Katherine Lewis Parker